



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

Refer to:
OSB1999-0315

June 15, 2000

Mr. Lawrence C. Evans
U.S. Army Corps of Engineers
Portland District, CENWP-CO-GP
ATTN: Ms. Teena Monical
P.O. Box 2946
Portland, Oregon 97208-2946

Re: U.S. Gypsum's Construction of a Wallboard Manufacturing Plant (Army Corps of Engineers
Permit Application ID No: 99-1245)

Dear Mr. Evans:

This responds to your May 26, 2000, letter to Mr. John Volkman, National Marine Fisheries Service (NMFS), requesting concurrence that allowing U.S. Gypsum (USG) to begin certain portions of work 19 days early will not result in impacts greater than anticipated in the original consultation. A formal consultation was concluded via a Biological Opinion (Opinion) dated December 22, 1999. In that Opinion, NMFS concluded that the effects of USG's construction of a wallboard manufacturing plant, together with cumulative effects and the effects to the environmental baseline, are not likely to jeopardize the continued existence of certain listed, proposed and candidate fish species. Originally, the in-water work was expected to be conducted during the Oregon Department of Fish and Wildlife's (ODFW) in-water work period for the Lower Columbia River of November 1 to February 28. Unstated in the Opinion is the fact that the ODFW in-water work period for the tributaries to the Columbia River between Tongue Point and St. Helens is from July 1 through September 15.

USG has requested to start work in the headwater portions of the tributaries on June 12 rather than July 1 to accommodate a pressing construction schedule. Craven Consulting Group has conducted an analysis of the potential impacts to natural resources if work is started on June 12. Mr. Craven has concluded that it is unlikely that anadromous fish would be present in the headwaters at the locations of the pipeline due to the stream size, gradients, and/or flows. He also has provided information indicating that the expected flows in these headwater areas during mid to late June should be dry, ponded, or a trickle. Also, USG will utilize sediment control measures in the event that there is flow present in these headwater areas.



NMFS concurs with the Corps determination that allowing USG to begin work in the headwater areas of the tributaries on June 12 will not result in impacts greater than anticipated in the original consultation. Questions regarding this letter should be directed to Michelle Day of my staff in the Oregon State Branch Office at (503) 231-6938.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Tehan". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Michael Tehan
Chief, Oregon State Branch
Habitat Conservation Division